

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Moore, et al. Confirmation No: 1111  
Serial No.: 10/821,284 Art Unit: 3733  
Filed : April 9, 2004 Examiner: Hoffman, Mary C.  
For : Instruments and Methods for Minimally Invasive Spine Surgery

CERTIFICATE OF TRANSMISSION			
I hereby certify that this correspondence is being electronically filed via EFS-Web to the Commissioner for Patents with the U.S. Patent and Trademark Office on: 7/23/2009			
Name (print/type)	Amy Pelletier		
Signature	/ Amy Pelletier /	Date :	July 23, 2009

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Applicant(s) hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

The item(s) checked below are appropriate:

1. ☐ An extension of time to respond to the last rejection was granted on \_\_\_\_\_ for \_\_\_\_\_ month(s).
2. ☐ A Petition For Extension Of Time under 37 CFR 1.136 will be paid by the USPTO fee portion of the e-filing system.
3. ☐ A timely response to the final rejection has been filed.
4. ☒ Fee \$540.00: for filing of Notice of Appeal (37 CFR 41.20(b)(1))  
☐ Not required (fee paid in prior appeal)  
☐ Charge to Deposit Account No. 10-0750. Two additional copies of this Notice are enclosed herewith.  
☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment in connection herewith to Deposit Account No. 10-0750.

Respectfully submitted,

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